**Start-up Migrant FAQs**

**What happened to the Tier 1 (Graduate Entrepreneur) visa category?**

This closes on 06/07/19 and will be replaced from 06/04/19 by the Start-up Migrant visa category.

**How is Start-up Migrant different from Graduate Entrepreneur?**

This new category is not within Tier 1 and the rules are instead located in [Appendix W of the Immigration Rules](https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-w-immigration-rules-for-workers). It is not restricted to recent graduates and non-graduates can apply. It is granted for two years from the outset instead of one at a time. There are some additional requirements in terms of the business plan; it must be viable and scalable as well as innovative. The English Language requirement is also higher; CEFR B2 (instead of B1).

**Who is eligible to apply?**

This visa category is open to non-EEA nationals aged 18 and above wishing to set up a business in the UK. They should be an early-stage entrepreneur and must not have previously established a business in the UK.

Applicants must be endorsed by a registered endorsing body. Lists of endorsing bodies will be published on the Start-up and Innovator sections of the gov.uk website.

De Montfort University will only endorse current or former De Montfort University students (as long as the application is made within 2 years of the award conferred. De Montfort University will endorse a maximum of 30 applications each year. Non-graduates can apply but DMU will not sponsor non-DMU students, or students who have only just started a course, as the primary purpose of a Tier 4 visa-holder must be to study.

The applicant must have sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, as set out in [Appendix KoLL of the Immigration Rules](https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-koll).

The minimum English language requirement is CEFR B2 but leave granted under Tier 4 General will be accepted as evidence of meeting this requirement. Alternative ways include an IELTS test or showing evidence of a degree taught in English or certain nationals of majority English-speaking countries – see [Appendix W 3.8 of the Immigration rules](https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-w-immigration-rules-for-workers)

There is no fixed amount required to invest in your business in order to apply for this visa, but applicants must show that they have held the maintenance requirement for 90 days before the date of applying for the visa. See the documents required section for additional detail.

**Who is eligible to apply (switch) in the UK?**

If switching to the category within the UK, your current Leave must be either Tier 4 General, Tier 2, Tier 1 (Graduate Entrepreneur) or a Visitor who has been undertaking permitted activities as a ‘prospective entrepreneur’. **Prospective Entrepreneur**’ is a new subcategory of Visitor visa which is available from overseas only from 29/03/19. This requires evidence of endorsement under either the Start-up or Innovator route to enter the UK and will allow up to 6 months to apply to switch.

A Tier 1 Graduate Entrepreneur visa-holder will receive two years' leave minus any Leave already granted under GE. Your endorsement must confirm that you continue to have a *genuine and credible* business venture (as opposed to the new Start-up criteria).

**How soon can I apply?**

As soon as you receive your endorsement and have prepared your application you can apply.

**What is the deadline to apply?**

If you are applying in the UK you must apply before your current Leave expires. This is either the expiry date on the visa, or if your Leave is ended early by UKVI it would be the expiry date of the curtailment notice.

The endorsement will be valid for 3 months from the date of issue so you must make your application before it expires.

**Can I apply from overseas?**

Yes. Entry Clearance can be applied for in this category from outside the UK.

The maintenance requirement is the same, but the application fee will differ.

Some overseas applicants may be required to provide a [Tuberculosis test](https://www.gov.uk/tb-test-visa).

**How much does it cost?**

If applying in the UK: £493 per person (Dependants are charged the same as the main applicant).

If applying overseas: £363 per person (Dependants are charged the same as the main applicant).

At the point of applying you will also have to pay the Immigration Health Surcharge which is £400 per person for each 12 months of Leave granted.

**How do I apply?**

The application is made using an online form and supporting documents are scanned and uploaded at the end of the online submission.

[Apply in the UK](https://visas-immigration.service.gov.uk/applicationInProgressWarning/start-up-and-innovator-ic)

[Apply overseas](https://www.visa4uk.fco.gov.uk/home/welcome)

**What documents will I need to provide?**

* Passport
* BRP (if you have one)
* Police Registration (if your nationality is required to register)
* Endorsement letter
* Degree Certificate or Secure English Language Test (only required if English requirements were not demonstrated in a previous visa application)
* Bank statement
* Proof of address (required for Dependant Partner/Spouse)

The maintenance requirement must be demonstrated in the bank statement. The requirement is to hold £945 (plus £630 for each Dependant) and this must be held for **90 days** prior to the date of application. The closing balance or last transaction in the bank statement must be within 31 days of the date of applying for the visa. The bank statement must include the bank name and logo, the applicant name and logo, the date and 90 days of transactions. If the bank is not in the UK it must be with one of the acceptable banks listed in the [Appendix P of the Immigration Rules](https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-p-lists-of-financial-institutions).

**What information must the endorsement letter contain?**

Your endorsement letter must confirm that your business proposal has been assessed against the following 3 key criteria:

* *Innovation* - Does the applicant have a genuine, original business plan that meets new or existing market needs and/or creates a competitive advantage?
* *Viability* - Does the applicant have, or are they actively developing, the necessary skills, knowledge, experience and market awareness to successfully run the business?
* *Scalability* - Is there evidence of structured planning and of potential for job creation and growth into national markets?

The endorsement letter must contain:

* the name of the endorsing body
* the endorsement reference number
* the date of issue
* the applicant’s name, date of birth, nationality and passport number
* a short description of the business venture and the main products or services it provides
* confirmation that the applicant’s business venture has been assessed as meeting the endorsement criteria (outlined above)
* details of a named contact for the endorsing body

**Who can help me obtain endorsement?**

At DMU: Simon Baines, Enterprise Project Manager, email: enterprise@dmu.ac.uk or call 207 8924

Ask about any upcoming workshops that may be of interest.

You can also apply to other registered sponsors.

**I have an endorsement from De Montfort University, who can help me apply for the visa?**

[DSU Advice](https://www.demontfortsu.com/support/advice/)

**DSU Advice cannot offer appointments to students prior to the endorsement being issued due to the limited capacity of our service.** However, we have provided this document to answer frequently-asked questions. If you have other visa-related questions not covered here, please email dsuadvice@dmu.ac.uk. Please note that before obtaining the endorsement you will need to start holding the maintenance requirement as this must be held for 90 days before you apply for the visa.

If you have an endorsement from any other sponsor or are applying overseas, you will need to obtain visa advice from an immigration solicitor or other qualified agency. DSU Advice is only able to assist DMU students who are applying in the UK and continuing to be sponsored by DMU.

**What restrictions will apply to me during this visa?**

You must not start your business before you have obtained your Start-up visa as Tier 4 students are not allowed to be self-employed.

You must satisfy your endorsing body that you are actively pursuing your business strategy and making progress between check-points, otherwise endorsement may be withdrawn and the visa curtailed. The minimum requirement for contact is after 3 months, 6 months and 12 months, but the DMU policy will require monthly check-ins. These are not necessarily face-to-face meetings and may be arranged as skype or telephone calls.

You must inform your endorsing body if you end your business. They may then revoke your endorsement, but you may have the opportunity to retain this if you have a different business idea.

Work other than for the applicant's business is permitted but Start-up migrants cannot work as a ‘doctor or dentist in training’ or as a ‘professional sportsperson’ (including as a sports coach).

Study is also permitted however your main purpose must be to pursue your business venture and if this changes the visa should be changed accordingly. Some courses will require ATAS Certification – see [Part 15 of the Immigration Rules](https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-15-condition-to-hold-an-atas-clearance-certificate).

You must abide by all your visa conditions and immigration laws. If you breach any visa conditions your endorsement can be revoked which would lead to your visa being curtailed.

Start-up migrants are not eligible to receive ‘public funds’.

Some nationalities (see [Appendix 2 of the Immigration Rules](https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-2-police-registration)) are required to maintain a Police Registration throughout their stay in the UK, and this will include Leave as a Start-up Migrant.

**Does this category permit me to have Dependants?**

Yes. Your Spouse or Partner and any children under 18 that live with you can apply as Dependants. Please note that both parents are required to be present in the UK in order for child dependants to be granted Leave. However, there are some exceptions, so seek advice if necessary.

Additional maintenance requirements for each Dependant must be met – see [Appendix E of the Immigration Rules](https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-e-maintenance-funds-for-the-family-of-relevant-points-based-system-migrants)

Each applicant is charged an additional application fee and Immigration Health Surcharge.

**How long is the visa granted for?**

The period of Leave granted under this category is two years.

**Can this visa be extended?**

No. At the end of the two years as a Start-up Migrant you can switch into the **Innovator** category. Please note that this category does require a fixed sum of £50,000 to invest in your business. DMU is not a registered sponsor under the Innovator Route so you will need to identify and secure another sponsor within 2 years of applying for the Start-up visa.

Innovators must work entirely on developing their business ventures and may not take on other employment outside their business.

Innovators (and any Dependants) are granted leave for 3 years at a time.

After 3 years, Innovators (and their Dependants) can apply to extend their stay for a further 3 years or to settle permanently in the UK. Each of these 3 stages (initial application, extension, and settlement) requires endorsement from an endorsing body.

**Can this Leave be curtailed?**

Yes. Your endorsing body can report you to UKVI who can curtail the Leave granted if:

* You fail to stay in contact with your endorsing body as required
* They discover that you have not been developing the endorsed business
* You are breach any of your visa conditions, or
* Your business has failed and you do not wish to start another business, or the endorsing body does not agree to endorse the new business idea.

Leave can also be curtailed if the Sponsor loses their status as an endorsing body.

**Where can I find further information?**

[UKCISA](https://www.ukcisa.org.uk/Information--Advice/Working/Working-after-studies#layer-6610)